With Malice Toward Some

HOW PEOPLE MAKE CIVIL LIBERTIES JUDGMENTS

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CHAPTER 1

Political Tolerance and Democratic Practice

I think, therefore I am.

Rene Descartes (1596–1650)

The heart has its reasons which reason knows nothing of.

Blaise Pascal (1623–62)

Tolerance is the pivotal dilemma of democracy in a pluralistic society. Political tolerance requires that democratic citizens and leaders secure the full political rights of expression and political participation of groups they find objectionable (Sullivan, Piereson, & Marcus, 1982). We maintain that the challenge of sustaining a politically tolerant society is enduring. However, while intolerance is an ever-present danger, it need not simply be accepted. To understand how to confront intolerance, we must understand how people react when faced with groups and ideas they find threatening. In this book, we will present an explanation for how people meet that challenge.

McClosky and Brill (1983) suggest that political intolerance may be more "natural" than tolerance:

> The ubiquity of slavery and oppression throughout human history leads one to wonder whether intolerance rather than tolerance may be the easier and more natural posture for most people to assume. . . . If one has sufficient strength and cunning to repel the enemy, one is inclined to do so unless one has discovered that, for some reason, another type of response is legally or socially required, or preferred. (p. 13)

Some research suggests that intolerance may be cognitively easier for people than tolerance in part because of the ease with which people acquire stereotypes and prejudices about individuals and groups who differ from themselves (Aboud, 1988; Devine, 1989).

Against this backdrop of a naturally occurring intolerance, there is evidence that people can be convinced that tolerance is an important principle and that people can be taught to be tolerant (Avery, Bird, Johnstone, Sullivan, & Thalhammer, 1992; Brody, 1994). If people learn that all citizens should have the right to free speech, assembly, and so forth, then they can overcome the kind of intolerant prejudices discussed by McClosky and Brill.

In this book, we will examine the view that contemporary tolerance judgments reflect a complex mix of predispositions, previously established beliefs, and current information about the political context. All of these elements play a role, although not necessarily for all individuals at all times.

To develop this argument more fully, we need to identify the role preexisting influences and contemporary information play in pluralist democracies generally and in the United States more particularly. American society has a number of characteristics with important implications for the use of predispositions, established beliefs, and contemporary information in making tolerance judgments. American society is group oriented, highly mobile, and highly individualistic (Bellah, Madsen, Sullivan, Swidler, & Tipton, 1985; Tocqueville, 1974 [1835]). Additionally, among our most prominent values are economic individualism (Feldman & Zaller, 1992), support for capitalism (McClosky & Zaller, 1984), and the core democratic values of liberty and equality (Huntington, 1981; McClosky & Zaller, 1984).

Some of these characteristics, principally group loyalties and commitment to deeply held values and orientations, encourage sustained reliance on predispositions and established beliefs. Other characteristics, such as individuality, mobility, and diversity, encourage consideration of contemporary information. In the next section, we describe the relationship between these characteristics of our society and reliance on enduring predispositions, established beliefs, and contemporary information.

GROUP IDENTIFICATION, INDIVIDUALITY, AND DIVERSITY

American democracy exists within a society that is diverse, mobile, and dynamic. Each of us begins our journey during childhood within a specific setting. Depending on what personal circumstances shaped our family, neighborhood, and region, we find ourselves among groups defined by social categories of race, class, generation, and gender, among many others. For each of us certain categories may be prominent whereas others are less so.

The lessons learned from early group experiences shape enduring predispositions that guide future choices (Duckitt, 1989). Group identification is part of the normal developmental process and has enduring consequences. Volkan (1988) has argued that group identification is a natural and universal process that creates a sense of we/they (or in-group versus out-group). A similar assertion is put forward in the ethnocentrism literature (LeVine & Campbell, 1972). Research on stereotyping similarly finds that people naturally hold stereotypes of outgroup members. Devine (1989), for example, has shown that stereotyping is widespread and powerful. Thus, group loyalties and stereotypes, once acquired, remain lasting influences that are likely to have a powerful effect in shaping tolerance judgments (Allport, 1954).

In addition to experiencing the more parochial effects of group influences, people are influenced by cultural values and beliefs (Bellah et al., 1985; McClosky & Zaller, 1984). These values and beliefs help to define the established expectations we apply to judge the actions of those around us. While the cultural values of Americans are not completely uniform, some general consensus exists. Support for democracy and capitalism has a long history in our country (McClosky & Zaller, 1984). These two dimensions of political consensus are tied together by a strong belief in the individual and individual rights. Most Americans believe in equality of opportunity and individual rights of freedom of speech, religion, press, and assembly. Americans also support capitalist values to a far greater extent than citizens of other Western democracies. Of course, these values often conflict and then must be resolved in the political arena, but American commitment to these ideals remains strong.

Individual autonomy and diversity are two factors common in the American experience that may attenuate our reliance on predispositions and established beliefs. The development of liberal democracy depends on the emergence of the self-interested individual. Liberal democracy places a high value on individual worth, self-interest, citizenship, personal judgment, and the capacity for continual learning. American pluralism encourages, indeed demands, continued learning and the capacity to reexamine old lessons in light of new circumstances. The West has placed the idea of the autonomous self-enacting individual at the center of the value pantheon (Taylor, 1989).

More particularly, as people move freely in a diverse and pluralistic society, and as they engage in ongoing contemporary political debates, the hold of group loyalties and prejudices should recede somewhat to enable people to act individually (Marcus, 1988a). In our society, people develop as individuals and move from familiar settings to confront new individuals, groups, and ideas. Although citizens initially confront these novel challenges from partisan positions with expectations borne out of learned prejudices (Devine, 1989; Devine, Monteith, Zuwerink, & Elliot, 1991; Duckitt, 1989; Kinder & Sears, 1981; Linville & Jones, 1980), they are often able to move beyond the repertoire of learned prejudices and devote greater attention to and reliance on contemporary information.

How people confront new situations is of particular concern because American society has always been diverse. Of course, people may rely on the lessons they learned early in life, but diversity provides the impetus for at least some attention to contemporary information. Diversity in America has been shaped by the geographic mobility of its population (substantial population movements from one region to another, such as blacks going from the South to the North and West, whites going from the Northeast to the Southwest and South) and by waves of immigration into the society (German and Irish, followed by Cuban, Cambodian, Laotian, etc.). Many people experience a more local mobility, moving from rural society to urban, or from urban to suburban. In addition, many Americans experience upward and downward social and economic mobility.

As a result of all these sources of diversity and intermingling, Americans frequently come into contact with strangers. We interact daily with people with whom we have no prior or intimate history. However confident and secure we may be in our immediate social milieu, we expect to meet and be changed by contacts with new groups. Given these sources of diversity, and the frequency with which Americans meet and work with unfamiliar individuals and groups, they have a powerful incentive to learn about these novel people and circumstances. Thus, diversity provides an incentive to lessen complete reliance on established beliefs and predispositions.

It is clear that the research tradition that seeks to understand how people acquire the basic orientation to be tolerant or intolerant, while important and central, cannot provide a complete account. Democracy requires that citizens be open to challenging circumstances and take some of the responsibility they share with elected representatives for making political choices. While these decisions are informed by deeply held values and beliefs, they are also influenced by contemporary information about current situations. Indeed, pluralist democracy demands no less.

THE ENDURING PROBLEM OF TOLERANCE

The characteristics of American society and pluralist democracy that influence the effects of predispositions and contemporary information create the very conditions that make tolerance a central problem of democratic life. If society successfully enables its members to become self-aware and self-enacting individuals, the society will be peopled with diverse and, at least on occasion, contentious actors. Citizens will differ not only in social background characteristics but also in belief and vocation, avocation, and personality. These differences will create the domain within which political disputes emerge; some to be addressed and resolved, some to be transformed, and some to be ignored (Mansbridge, 1980).

People approach these disputes from partisan positions. This partisanship is exacerbated when citizens are faced with groups espousing extreme ideologies. The majority tends to react strongly against abhorrent outgroups whenever they challenge the fundamental consensus of the American pluralist system. Because we are partisan, we often react poorly to such attacks on our values, refusing to allow these groups to have full political and civil rights. Examples of such partisanship may include attacks on civil liberties for communists in the 1950s and 1960s, and on gays and lesbians, or neo-Nazi groups, in the 1980s and 1990s. Tolerance remains an enduring problem because diversity and partisanship make it necessary to continually renew civil libertarian principles.

How do Americans apply principles of tolerance when they are confronted with people who hold extremely different political beliefs or espouse unpopular causes? The discrepancy between abstract and concrete judgments of tolerance will be used to illustrate the more general issue of the relative role of contemporary information and long-standing considerations in making current tolerance judgments.

Numerous studies show that when Americans are asked about their support for the principles of democracy they consistently give almost unanimous endorsement of these principles (see, e. g., Jackman, 1978; McClosky, 1964; Prothro & Grigg, 1960). People agree that all are entitled to their rights, such as free speech. For example, McClosky (1964) reports that more than 94 percent of the American electorate agreed with the statement, "No matter what a person's political beliefs are, he is entitled to the same legal rights and protections as anyone else." However, when these same principles are applied to specific circumstances, support drops precipitously. Fully 36 percent agreed with the statement, "When the country is in great danger we may have to force people to testify against themselves even if it violates their rights" (McClosky, 1964).

More recent studies have found comparable results (McClosky & Brill, 1983). Thus, the public continues to express strong endorsement of the general principles of free expression *and* great reluctance to sustain these principles when asked to apply them to noxious groups. Five general explanations may account for this slippage, three of which focus on the role of predispositions and preestablished beliefs.

The dominant explanation is simply that this inconsistency results from the public's failure to understand properly that the application of general principles demands compliance in concrete circumstances (McClosky & Brill, 1983).[1] A second explanation for this slippage is that many people acquire deeply held malice against some groups, often racial or ethnic in nature. The stronger the malice, the greater the likelihood that it will overwhelm any commitment to democratic values. Thus, people may rely on deeply held partisan feelings that run counter to a commitment to tolerance (Brady & Sniderman, 1985; Kinder & Sears, 1981).

Previous research on tolerance suggests third and fourth explanations. When people were asked to explain the reasons for their decision to tolerate or not tolerate their "least liked" political group, some of them gave democratic principles themselves as the basis for denying political rights to this group (Sullivan et al., 1982). The third explanation is that some citizens believe that unless a political group itself supports democratic principles and would apply them to others, that group forfeits its own rights. In other words, if democratic principles are supreme, then we must support these principles by not allowing undemocratic groups the opportunity to destroy democracy. Fourth, in the minds of these people, groups exercising their political rights have the obligation to behave according to the rules of the game. Thus, a different set of deeply held principles, based on the values of order and stability, might conflict with the principle of tolerance. For example, people who believe that all citizens have an obligation to be patriotic may limit the reach of tolerance when considering those who appear to be unpatriotic. When the principles of patriotism and tolerance clash, tolerance gives way.

All of these explanations rely on the presumption that people make tolerance judgments largely guided by predispositions and previously established beliefs. The first explanation suggests that unless people have the cognitive ability to connect abstract principles to concrete situations, they will rely on their more natural predisposition to be intolerant. The second explanation accounts for the slippage by pointing to continuing malice against the target group. The third explanation, in a sense, questions whether the slippage is real by adopting a particular interpretation of democratic principles and how they are best sustained. The fourth explanation raises the possibility of a countervailing value conflict between different interpretations of how to apply democratic principles.

None of these explanations considers a fifth possibility, that people are mindful of contemporary information – that they pay careful attention to the threat posed by the group in question and to the particular context in which the issue arises. To the extent that people feel threatened, they are less inclined toward political tolerance. They use contemporary information about the group and context to overrule any long-standing beliefs in applying democratic values directly.

GUT REACTIONS, THINKING, AND JUDGING

Thus far, we have argued that political tolerance judgments result from both established convictions and contemporary influences. It appears that deeply entrenched beliefs ordinarily will be most influential. One of the tasks of this book is to identify the circumstances under which new information plays a substantial role. One key to such an approach may be found in the provocative role of threat and the attention-grabbing role of emotion, experienced as increasing anxiety. The specific circumstances in which established beliefs are set aside may depend on increases or decreases in perceptions of threat, a precursor to anxiety.

As evidenced in our epigraph to this chapter, Descartes highlights a dominant theme in Western thought: the preeminence of thinking and reason. In Western culture reason is believed to be the crowning achievement of the human race and the predominant faculty on which we should rely to make judgments, especially judgments of justice. Democratic theorists have nearly unanimously assumed that democratic choices must be the result of thoughtful and deliberate judgments (Galston, 1988; Gutmann, 1987). Until recently most Western philosophers have taken the strong position that decisions are best made by excluding the influence of emotions (Kant, 1977; Rawls, 1971).

However, in the realm of politics, reason does not rule alone. Pascal's rejoinder to Descartes reminds us that we cannot ignore the role of emotions. More particularly, we suggest that emotions appear to play a central role in the apprehension of threat. If political tolerance judgments are influenced by enduring predispositions and beliefs, as well as by contemporary information, then the specific feelings provoked by the appearance of threat play a role in drawing our attention to changes in circumstances and the need to supplement our long standing convictions in light of new, contemporary information. And, if emotions do play this role, then understanding how and when shifts in mood take place, as well as the consequences that follow, becomes central to understanding tolerance judgments. Because the dominant view denigrating emotionality is so deeply ingrained, we need to excavate this perspective before we present a different view.[2]

It is a long-standing presumption that people in the grip of high emotion are more likely to make impulsive and pernicious decisions. To the extent that people are emotional, they succumb to the appeals of intolerance. If we give in to anger and hate, then intolerance results. So, the standard guide is to be rational rather than emotional. By focusing on reason, eschewing emotional reactions, citizens avoid the deleterious effects of passion.

When we think about the connection between emotion and politics several themes emerge. First, emotions are closely linked to instincts. However we define instincts, we generally think of them as fixed forces, not subject to timely adaptation to changing circumstances. Instinctive forces impose themselves without regard to contemporary circumstances. Therefore, instincts encourage us to make decisions automatically.

Second, being emotional prevents us from seeing clearly. Emotions distort perception. As Robinson (1937) said, "Political campaigns are designedly made into emotional orgies which endeavor to distract attention from the real issues involved, and they actually paralyze what slight powers of cerebration man can normally muster." Particularly in the political realm, emotions will detract from cool, reasoned judgments.

Third, we generally hold that being emotional is normatively inferior to being rational. As Alexander Hamilton (1961) put it, "Why has government been instituted at all? Because the passions of men will not conform to the dictates of reason and justice, without constraint." We should "think with the head not the heart." Notice that this conception so deeply divides feeling and thinking that it locates each in different sites in the body. Reason is given the favored placement.

Finally, being emotional is often taken to be a childish state, a condition to be outgrown and left behind. Reason, thinking clearly, provides the sure path to our true interests and to justice. Therefore, emotions are antagonistic to thinking clearly and making good decisions. Being emotional is incompatible with being rational (Janis, 1982; Janis & Mann, 1977).

The most crucial presumption underlying this conception is that humans can rely solely on their ability to reason and can, at the same time, prevent emotions from distracting them. It is not surprising, therefore, that the most common remedy for ending intolerance, as it is for ending racial prejudice, is to encourage deliberation (Devine, 1989; Devine et al., 1991; Stouffer, 1955).

Recent studies complicate this view. People make different decisions when encouraged to think about the choices before them than they do if encouraged to rely on their feelings (Millar & Tesser, 1986; Wilson, Dunn, Kraft, & Lisle, 1989). However, one should not thereby conclude that decisions made by relying on feelings are necessarily inferior to those made by thoughtful deliberation.

Wilson (1991) found that most people make objectively poorer decisions when instructed to think about a decision than when they are left uninstructed. For example, college students were asked to rate samples of jam for a taste test. Students were randomly assigned to one of two groups. One group was told, before they tasted the jam, that they would be asked to list their reasons for liking or disliking each jam. The control group was given no such instruction. Those given the "reasons" instruction made different choices from those given no instruction. The latter made ratings significantly closer to those made by *Consumer Reports* experts than did the "reasons" group. A study of college-student course evaluations, also by Wilson, found similar results. Students were instructed to "stop and think" about each piece of information about nine college course descriptions. When asked to write down their reasons for rating each course, students were less able to match the expert ratings of faculty than students in the control group, who were not asked to "stop and think" and were not asked to write down their reasons. The principal conclusion Wilson drew was that inviting people to engage in introspection and deliberation left them *less* able to make decisions comparable to those of experts than when they made a gut decision.

In the context of political tolerance this suggests that the position that democratic judgments must be made through thoughtful deliberation may be too simplistic. As Wilson shows, reason alone may not result in the desired outcome. If reason is not the entire story, perhaps emotion can play a constructive role in people's tolerance decisions. Emotional responses are complex and could serve to decrease *or* increase levels of tolerance, depending on the nature of contemporary information. If emotional responses control when and how we pay attention to contemporary information, then understanding the role of threat perceptions and changing levels of anxiety may yield a more complete view of tolerance judgments, a view that combines predispositions and attention to contemporary information.

How do feelings influence thinking? And how might they influence political tolerance judgments? We examine these questions throughout this book. Since affect plays a critical role in our broader model of tolerance judgments, it requires careful exposition. We therefore lay out our theoretical model of tolerance judgments in Chapter 2 and then discuss Gray's explicit model of emotions, and how emotions interact with cognition and behavior, in Chapter 3.

THE PLAN OF THE BOOK

Our concern is to understand how people make political tolerance judgments. The end result of that goal is a model that accounts for how people make political judgments. We argue that members of a democratic public make use of established values and beliefs when they make political tolerance judgments *and* that they take into account observations of the immediate circumstances. An empirical demonstration of those dual capacities has implications beyond our principal concern of understanding how people make civil liberties decisions.

We will hold in abeyance a full discussion of these broader concerns until the concluding chapter. However, we can outline the principal questions that guide our work:

- Which established convictions do people rely upon, and how do they utilize them when they make tolerance judgments?
- Do people attend to the contemporary environment, and if so, which features are influential when they make political tolerance judgments?
- Finally, do people make judgments in the same way, or are there important individual differences in how they go about making civil liberties decisions?

These three questions form the principal framework that structures this study. To answer the questions, the model we propose incorporates theoretical advances from a wide variety of research programs, most importantly Gray's theory of emotionality; the traditional tolerance literature; social-psychological studies of attitudes and behavior; personality theory; and political science research on expertise and public opinion. We believe that, at a very general level, this model could be applied to any number of political judgments people make, although we focus specifically on tolerance judgments.

This book reports on a variety of survey-experiments designed to explore how people make these tolerance judgments. The next two chapters in Part I develop the theoretical framework that guides our empirical analysis. Chapter 2 lays out our broad theoretical model and includes an application of the model to the existing tolerance literature. In Chapter 3, we draw upon recent work on emotions to develop a theoretical basis for explaining the prominent role of threat when people make tolerance judgments. Here our focus is on the particular role that emotions play in directing attention toward threatening stimuli.

In Part II, we begin the process of empirically testing our model. Chapter 4 presents the basic studies in which we test the extent to which people draw upon contemporary information to supplement their long-standing values and beliefs when they make contemporary tolerance judgments. In particular, we begin to address the impact that threatening information in the current environment has on citizens' tolerance judgments.

Part III moves beyond the overall results discussed in Part II to a consideration of individual differences in how people respond to contemporary information. In Chapter 5 we examine the role of threat in greater depth, focusing on threat as a predisposition and as an enduring belief. Here, we also examine whether certain types of individuals are more likely than others to be affected by threatening information. Chapter 6 focuses on democratic principles. Democratic principles may be deeply held and enduring beliefs that influence some individuals more than others. Democratic norms can also be part of the contemporary information environment when political actors make appeals to democratic principles. Some individuals may respond to these appeals by moving away from their established beliefs. Chapter 7 explores how robust our findings are across time, and examines the role of source credibility, expertise, and malice toward certain groups. Finally, Chapter 8 investigates individual differences in personality and how they shape tolerance judgments. Some personality types may give greater attention to the present while others may rely more strongly on deeply held values and beliefs.

Part IV concludes the book by drawing out the broader implications of our model for understanding tolerance, behavior, and the role of emotions in politics. Chapter 9 focuses on the behavioral implications of tolerant and intolerant judgments, exploring their likely impact on the political process. Chapter 10 summarizes the overall findings and develops the more general implications of this work.